

weight of 30 tolas as basis. These weights have also been adjusted when necessary.

17. Lieutenant-Colonel A. Milne, I.M.S., Assay Master, retired from 25th July 1911 and Lieutenant-Colonel J. Lloyd Jones, I.M.S., held the post of Assay Master, Bombay, from 25th July 1911. Major J. J. Bourke, I.M.S., Deputy Assay Master, Bombay, was transferred to Calcutta as Assay Master, and Captain H. B. Drake, I.M.S., held the post of Deputy Assay Master, Bombay, from 20th July 1911.

18. Mr. H. C. Crisp, the 1st Assistant to the Assay Master, Bombay, retired on pension on 1st June 1911, and Mr. U. A. Spence, the 2nd Assistant, has been promoted to 1st Assistant: the post of 2nd Assistant has been held by Mr. H. B. Graveston, who was transferred from the Commissioner's Office, Karachi.

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ACCOUNTS AND FINANCE,  
Paper Currency.

No. 523-F.

*The 12th November, 1912.*

RESOLUTION—By the Government of India, Finance Department.

The Government of India have had under their consideration the question of the value to the public and to the police of the system maintained in Currency Offices of registering the numbers of notes reported lost and stolen. Under present orders, "stopped note" lists are maintained in the case of currency notes of the denomination of Rs. 50 and upwards; in the case of notes for Rs. 50, Rs. 100 and Rs. 500, the numbers of the notes are removed from the list after the expiry of one year from the date of the stoppage, and in the case of notes of Rs. 1,000 the numbers are removed after three years.

2. The working of the system necessitates the maintenance of a detailed record of all transactions and the checking of the notes tendered with the list of stopped notes, and for this reason not only entails considerable expense and trouble in Currency Offices, but also materially hampers the prompt disposal of work at the public counters, thereby causing general inconvenience. The system is also open to criticism on account of the inconvenience and annoyance to which innocent holders of notes are liable to be subjected. The presenter of a "stopped" note is entitled by law to be paid, but if he is unknown to the officials in the Currency Office the result is generally that he finds himself in the hands of the police.

3. Looking at the matter from the police point of view, it is the general opinion that the present procedure is of very little use either as a preventive of crime or as a means of detection. As regards the prevention of crime, it is extremely doubtful if would-be thieves are to any considerable extent prevented from stealing notes merely by the knowledge that encashment will be attended by risks owing to stoppage. The utility of the procedure now followed depends in fact largely on the assumption that recourse must be had to a currency Office. There are ample facilities however for passing notes elsewhere and either for this reason or because the notes are presented before stoppage can be registered, it is a fact that a guilty person is very seldom discovered in a Currency Office. As regards detection, if a stolen note happens to be brought to a Currency Office by the thief himself, it is certain that he will give a false name or address. If the presenter has come by the note honestly, the "stopped note" system, it may be urged, enables the police to trace back possession to a guilty person. The prospects of success however in any such enquiry depend entirely on the practice of the public of registering the numbers of the notes passing through their hands, and there is evidence that this practice is being steadily abandoned, particularly since the universalisation of the Rs. 50 and Rs. 100 notes. It is clear further that the chain is likely to break down just at the point where evidence is most necessary, and a charge can be

brought home to a guilty person only in those cases in which in disposing of the note he has been careless enough to frame evidence against himself.

4. The Government of India have come to the conclusion that the "stopped" note list does not afford adequate protection to the public, that it renders no material assistance to the police, that it tends to hamper in the case of currency notes that free and unquestioned interchangeability which is the desideratum of every medium of exchange, and, in any case, that the benefits secured are not commensurate with the expense and trouble to which the Currency Department is put, and the delay and inconvenience occasioned to the public. The Chambers of Commerce, who were consulted on the subject, are generally in favour of the abolition of the system and the Governor General in Council is therefore pleased to direct its abolition forthwith.

Ordered that this Resolution be published in the *Gazette of India*.

#### LEAVE AND APPOINTMENTS.

*The 11th November, 1912.*

No. 893-F. E.—The following notifications are published in the *Gazette of India*:

Mr. S. M. L. Bean has been posted as Assistant Accountant General, Bengal, with effect from the 10th October 1912.

Mr. A. M. Brigstocke, I.C.S., has been posted as Accountant General, Bombay, with effect from the 11th October 1912.

Mr. A. Rajagopala Aiyar has been posted as Deputy Accountant General, Madras, with effect from the 11th October 1912.

Mr. K. B. Wagle has been posted as Accountant General, United Provinces, with effect from the 21st October 1912.

Mr. H. B. Rau has been posted as Deputy Accountant General, Burma, with effect from the 23rd October 1912.

Mr. J. W. Young has been posted as Assistant Accountant General, Bihar and Orissa, with effect from the 24th October 1912.

Mr. J. C. Mitra has been granted privilege leave for three months with effect from the 28th October 1912.

Mr. K. C. Biswas has been granted privilege leave for one month with effect from the 28th October 1912.

Mr. M. A. Hafecz has been posted as Assistant Accountant General, Post Office and Telegraphs, with effect from the 28th October 1912.

Mr. A. L. Bose has been appointed to officiate as Chief Accountant, Class II, with effect from the 28th October 1912 and until further orders.

Mr. A. C. Gupta has been posted as Assistant Accountant General and Examiner of Local Fund Accounts, Bengal, with effect from the 28th October 1912.

Mr. B. A. Harris has been posted as Assistant Accountant General, Burma, with effect from the 28th October 1912.

Mr. H. N. Heseltine has been posted as Accountant General, Punjab, with effect from the 31st October 1912.

Mr. C. D'A. Crofton, I.C.S., has been posted as Deputy Accountant General, Punjab, with effect from the 31st October 1912.

Mr. T. P. Russell Stracey has been posted as Assistant Accountant General, Punjab, with effect from the 31st October 1912.

Mr. E. D. Chanter has been granted privilege leave for two months and fourteen days combined with furlough for nine months and seventeen days with effect from the 4th November 1912.

No. 900-F. E.—Mr. H. L. French, I.S.O., is appointed additional Assistant Secretary to the Government of India in the Finance Department with effect from the 1st November 1912, to the end of March 1913.

*The 13th November, 1912.*

No. 905-F. E.—The services of Mr. R. D. Thomson, I.C.S., are replaced at the disposal of the Government of the Punjab, with effect from the 11th November 1912.

R. W. GILLAN,  
Secretary to the Government of India.



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FINANCE DEPARTMENT (MILITARY FINANCE).

## NOTIFICATIONS.

## LEAVE AND APPOINTMENTS.

*Simla, the 15th November, 1912.*

No. 1406-*Accts.*—Major E. B. Peacock, Indian Army, Military Accountant, 3rd class, Military Accounts Department, will perform the duties of Military Deputy Accountant General and *ex-officio* Assistant Secretary to the Government of India in the Finance Department (Military Finance), with effect from the 8th November 1912, *vice* Major F. W. Bagshawe vacated and until further orders, in addition to his present duties as officiating Deputy Secretary, Finance Department (Military Finance).

No. 1407-*Accts.*—The following reversion of an officiating Deputy Examiner, 2nd grade, Military Accounts Department, is made, with effect from the 3rd November 1912.

Mr. C. Gonsalves, officiating Deputy Examiner, 2nd grade, to revert to his own grade.

W. H. MICHAEL,

*Offg. Joint Secretary to the Government of India.*

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## PUBLIC WORKS DEPARTMENT.

## NOTIFICATION.

*Simla, the 14th November, 1912.*

No. 60.—Mr. C. C. S. Clark, Superintending Engineer, 1st class, Burma, is transferred to the Central Provinces and appointed to officiate as Chief Engineer with effect from the 12th November 1912.

W. B. GORDON,

*Secretary to the Government of India.*

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## DEPARTMENT OF REVENUE AND AGRICULTURE.

## NOTIFICATIONS.

## CIVIL VETERINARY ADMINISTRATION.

*Simla, the 15th November, 1912.*

No. 3220-29-12.—The services of Mr. P. J. Kerr, M.R.C.V.S., I.C.V.D., are placed at the disposal of the Government of Bengal for appointment as Superintendent, Civil Veterinary Department, with effect from the 28th October 1912.

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## GENERAL.

*The 15th November, 1912.*

No. 3223.—In consequence of the deputation of Mr. H. S. Heysham, Superintendent, 1st grade, Department of Revenue and Agriculture, on special duty with effect from the 16th November 1912, the following promotions with effect from the same date are notified :

Mr. W. A. Threlfall, Superintendent, 2nd grade, to be sub *pro tem* Superintendent, 1st grade.

Mr. C. H. Martin, Superintendent, 3rd grade, to be sub *pro tem* Superintendent, 2nd grade.

Mr. T. McDonnell, Officiating Superintendent, 3rd grade, to be sub *pro tem* Superintendent, 3rd grade.

Mr. A. B. E. Thomson, Secretariat Assistant, 2nd grade, to officiate as Superintendent, 3rd grade.

E. D. MACLAGAN,

*Secretary to the Government of India.*

## DEPARTMENT OF COMMERCE AND INDUSTRY.

## NOTIFICATIONS.

## COMMERCE AND TRADE.

*Simla, the 16th November, 1912.*

**No. 8502-61.**—In exercise of the powers conferred by Section 32 of the Indian Life Assurance Companies Act, 1912 (VI of 1912), the Governor General in Council is pleased to declare that the National Mutual Life Assurance Society carries on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909 (9 Edw. VII, Cap. 49).

## SALT.

*The 16th November, 1912.*

**No. 8529-43.**—The following promotion in the Northern India Salt Revenue Department is notified with effect from the date specified:—

Name.	From	To	Nature of promotion.	With effect from
Mr. Abdur Rahim Khan	Assistant Superintendent, 2nd grade.	Superintendent, 4th grade.	Officiating promotion.	2nd September 1912, <i>vice</i> Mr. Young, Superintendent, on privilege leave.

## GEOLOGY AND MINERALS.

*The 16th November, 1912.*

**No. 8586-164.**—Mr. J. Coggin Brown, Assistant Superintendent in the Geological Survey Department, is appointed to act as Curator of the Geological Museum with effect from the afternoon of the 4th November 1912, *vice* Mr. G. de P. Cotter.

## CUSTOMS ESTABLISHMENT.

*The 16th November, 1912.*

**No. 8594-2.**—The following reversions of officers in the Imperial Customs Service are notified, with effect from the 24th October 1912:—

Name.	From	To
Mr. A. S. A. Westropp, I.C.S. ...	Collector, Class I, Officiating ...	Collector, Class II, substantive.
Mr. F. S. Purnett ...	Collector, Class II, Officiating ...	Collector, Class III, substantive.
Mr. A. H. Lloyd, I.C.S. ...	Collector, Class III, Officiating ...	Assistant Collector, Class II, Officiating.
Mr. N. Walker, I.C.S. ...	Assistant Collector, Class II, Officiating.	Assistant Collector, Class III, Officiating.

R. E. ENTHOVEN,

*Secretary to the Government of India.*

## DEPARTMENT OF EDUCATION.

## NOTIFICATIONS.

## ECCLESIASTICAL.

*Simla, the 15th November, 1912.*

No. 549.—The Reverend Herbert George England, M.A., has been appointed to be a chaplain on probation on the Bengal (Lahore) Ecclesiastical Establishment to fill an existing vacancy.

## GENERAL.

*The 15th November, 1912.*

No. 1571.—Khan Fazl Muhammad Khan, an Extra Assistant Commissioner in the Punjab, is temporarily appointed to be Curator of the Bureau of Education attached to the Department of Education, with effect from the 4th November 1912.

No. 1575.—Mr. A. F. Scholfield is appointed to be Assistant to the Officer in Charge of the Records of the Government of India, with effect from the 6th November 1912.

## SANITARY.

## PLAGUE.

*The 11th November, 1912.*

No. 2250.—Whereas the Governor General in Council is satisfied that there is a danger of an outbreak of dangerous epidemic disease at Chidambaram in the Chidambaram taluk of the South Arcot district, Madras Presidency, if persons from the Mysore State are permitted to assemble at that place on the occasion of the ensuing Arudra Darsanam festival.

In exercise of the power conferred by section 2, sub-section (1) of the Epidemic Diseases Act, 1897 (III of 1897), the Governor General in Council is pleased to direct that no tickets to travel by railway to the stations of Alapakkam, Puduchattiram, Porto Novo, Kille, Chidambaram, Vallampadugai, Coleroon, Arasur and Shiyali on the South Indian Railway shall be sold from the 9th to the 25th December (both days inclusive) within the Mysore State to any person intending or believed to be intending to proceed on pilgrimage to the Arudra Darsanam festival at Chidambaram.

*The 14th November, 1912.*

No. 2274.—Whereas the Governor General in Council is satisfied that there is a danger of an outbreak of dangerous epidemic disease at Srirangam in the Trichinopoly taluk of the Trichinopoly district, Madras Presidency, if persons from the Mysore State and the cities of Bombay and Calcutta are permitted to assemble at that place on the occasion of the ensuing Vaikunta Ekadasi festival.

In exercise of the power conferred by section 2, sub-section (1) of the Epidemic Diseases Act, 1897 (III of 1897), the Governor General in Council is pleased to direct that no tickets to travel by railway to the stations of Trichinopoly Junction, Trichi-Palakarai, Trichinopoly Fort, Srirangam Road, Murungappettai, Tiruchchandurai, Elamanur, Perugamani, Solagampatti, Tiruverumbur, Manjattidal, Punggudi and Kolattur on the South Indian Railway shall be sold from the 1st to the 30th December 1912 (both days inclusive) within the Mysore State and the cities of Bombay and Calcutta to any person intending, or believed to be intending, to proceed on pilgrimage to the Vaikunta Ekadasi festival at Srirangam.

*The 15th November, 1912.*

No. 2281.—Whereas the Governor General in Council is satisfied that Jaipur is visited by a severe outbreak of dangerous epidemic disease and that there is a danger of its spread to Ajmer, if pilgrims or other persons from the stations on the Rajputana-Malwa Railway between Dausa and Phulera (both inclusive) are permitted to assemble on the occasion of the ensuing Pushkar fair.

In exercise of the power conferred by section 2, sub-section (1) of the Epidemic Diseases Act, 1897 (III of 1897), the Governor General in Council is pleased to direct that no tickets to railway stations in Ajmer-Merwara from stations on the Rajputana-Malwa Railway between Dausa and Phulera shall be sold from the 15th to the 25th November (both days inclusive) to any pilgrim or other person intending, or believed to be intending, to proceed to the Pushkar fair.

L. C. PORTER,

*Secretary to the Government of India.*



## ARMY DEPARTMENT.

*Simla, the 15th November 1912.*

### APPOINTMENTS.

#### INDIAN ARMY.

**No. 1065.**—Lieutenant Herbert Foster Fuller, Royal Garrison Artillery, Supply and Transport Corps, is admitted to the Indian Army, subject to confirmation by the Most Hon'ble the Secretary of State for India ; with effect from the 29th November 1912.

Lieutenant Fuller will have seniority in the rank of Lieutenant from the 15th October 1905.

### FURLOUGH AND LEAVE.

#### CANTONMENT MAGISTRATES' DEPARTMENT.

**No. 1066.**—Major R. W. Burton, Indian Army, has been granted privilege leave for two months and six days, combined with furlough out of India for one year, under the military leave rules of 1886 for the Indian Army ; with effect from the 28th October 1912.

(Pension service—24th year commenced on 23rd March 1912.)

**No. 1067.**—With reference to Army Department Notification No. 320, dated the 12th April 1912, Major G. C. Burn, Indian Army, has been granted by the Most Hon'ble the Secretary of State for India an extension of leave on private affairs to the 3rd April 1913.

### LONDON GAZETTE.

**No. 1068.**—The following extract is published for general information :—

*"London Gazette," dated the 25th October 1912, page 7869.*

\* \* \* \* \*

*India Office,*

*October 25, 1912.*

The KING has approved of the admission of the undermentioned officer to the Indian Army :—

#### *To be Captain.*

Major Reginald Heinemann, by exchange from the Duke of Cambridge's Own (Middlesex Regiment). Dated 27th September 1912, but to rank from the 5th September 1905. Captain Heinemann's rank as Lieutenant is antedated to the 5th December 1898.

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### PROMOTIONS.

#### INDIAN ARMY.

**No. 1069.**—The following promotions are made, subject to His Majesty's approval :—

#### *Majors to be Lieutenant-Colonels.*

10th November 1912.

Henry Carew Ricketts, 15th Lancers (Cureton's Multanis).

Charles Oriel Oliphant Tanner, 127th Queen Mary's Own Baluch Light Infantry.

Philip Byron Bohun Forster, 52nd Sikhs (Frontier Force).

Alfred Bruce Sangster, Supernumerary List.

Francis Thornton Stewart, 45th Rattray's Sikhs.

Aubrey James Jamieson, 6th Jat Light Infantry.

Henry John Milnes Macandrew, D.S.O., 5th Cavalry.

*Second Lieutenant to be Lieutenant.*

13th November 1912.

Alan Stanley Clark Rogers, 61st King George's Own Pioneers.

#### MILITARY WORKS SERVICES AND PUBLIC WORKS DEPARTMENT, INDIA.

No. 1070.—Sub-Conductor William John Hayes, Sub-Engineer, 3rd Grade, Military Works Services, to be Conductor and

Staff-Sergeants Francis Arthur Brady, Supervisor, 2nd Grade, Burma Public Works Department, and Robert Joseph Briant, Supervisor, 2nd Grade, Military Works Services, to be Sub-Conductors,

on augmentation of establishment ; with effect from the 16th July 1912.

No. 1071.—Staff-Sergeant Cornelius O'Connor Casey, Supervisor, 2nd Grade, Military Works Services, to be Sub-Conductor, *vice* Cuthbert William Skinner, deceased ; with effect from the 17th July 1912.

No. 1072.—Sub-Conductor (supernumerary) Frederick George Sheath, United Provinces Educational Department, to be Conductor (supernumerary),

Sub-Conductor Thomas Mackenzie, Sub-Engineer, 3rd Grade, Military Works Services, to be Conductor, and

Staff-Sergeant John Lock, Overseer, 1st Grade, Military Works Services, to be Sub-Conductor,

on augmentation of establishment ; with effect from the 23rd September 1912.

#### BARRACK DEPARTMENT, PUNJAB-BENGAL.

No. 1073.—Staff-Sergeant William Shevlin, Barrack Sergeant, Military Works Services, to be Sub-Conductor, *vice* John Blake Cullen, Assistant Barrack Master, transferred to the pension establishment ; with effect from the 16th September 1912.

### NATIVE ARMY.

#### APPOINTMENTS AND PROMOTIONS.

##### *9th Hodson's Horse.*

No. 1074.—Jemadar Harditt Singh, appointed on probation in Army Department Notification No. 626, dated the 22nd July 1910, is confirmed in that rank ; with effect from the 11th September 1909.

No. 1075.—The following promotions are made :—

##### *9th Hodson's Horse.*

Kot-Dafadar Tek Singh to be Jemadar, *vice* Hakim Singh, transferred to the pension establishment ; with effect from the 11th October 1912.

##### *10th Duke of Cambridge's Own Lancers (Hodson's Horse).*

Kot-Dafadar Bishen Singh to be Jemadar, *vice* Jemadar Hushyar Singh, transferred to the 16th Cavalry ; with effect from the 4th October 1912.

##### *28th Punjabis.*

Jemadar Amar Singh to be Subadar, *vice* Kahan Singh, transferred to the pension establishment ; with effect from the 1st August 1912.

##### *41st Dogras.*

Subadar Laik Singh, *Bahadur*, to be Subadar-Major, Jemadar Sher Singh to be Subadar and Havildar Bainta to be Jemadar, *vice* Gopala, *Sardar Bahadur*, I.O.M., transferred to the pension establishment ; with effect from the 1st November 1912.

##### *45th Rattray's Sikhs.*

Jemadar Nidhan Singh to be Subadar and Havildar Bhag Singh to be Jemadar, *vice* Mastan Singh, transferred to the pension establishment ; with effect from the 28th October 1912.

Jemadar Wariam Singh to be Subadar and Havildar Thaman Singh to be Jemadar, *vice* Wassawa Singh, transferred to the pension establishment ; with effect from the 1st November 1912.

*57th Wilde's Rifles (Frontier Force).*

Havildar Shah Baz to be Jemadar, *vice* Mir Haidar, transferred to the pension establishment ; with effect from the 1st November 1912.

*62nd Punjabis.*

Subadar Narain Singh to be Subadar-Major, Jemadar Govind Singh to be Subadar and Colour-Havildar Sispal Singh to be Jemadar, *vice* Bhagat Singh, *Bahadur*, transferred to the pension establishment ; with effect from the 15th October 1912.

*110th Mahratta Light Infantry.*

Subadar Nana Nikam to be Subadar-Major and Jemadar Shaikh Yasin to be Subadar, *vice* Mahabal Tiwari, *Bahadur*, transferred to the pension establishment ; with effect from the 16th October 1912.

*121st Pioneers.*

Jemadar Ruda Ram to be Subadar and Havildar Kheta Ram to be Jemadar, *vice* Chandru Ram, transferred to the pension establishment ; with effect from the 7th July 1912.

*2nd Battalion, 5th Gurkha Rifles (Frontier Force.)*

Havildar Balbir Rana to be Jemadar, *vice* Motiram Thapa, I.O.M., transferred to the pension establishment ; with effect from the 10th October 1912.

## REWARDS.

### ORDER OF BRITISH INDIA.

No. 1076.—The Governor-General in Council is pleased to sanction the admission to the Order of British India of the undermentioned Indian officer, in recognition of the good services rendered by him while serving with the Miri Mission :—

*To the Second Class, with the title of "Bahadur."*

Subadar Mihr Din, 1st King George's Own Sappers and Miners.

The above appointment will be supernumerary to the authorised establishment, and will be absorbed in the same manner as the appointments published in Army Department Notification No. 779, dated the 9th August 1912.

### INDIAN DISTINGUISHED SERVICE MEDAL.

No. 1077.—The Governor-General in Council is pleased to sanction the award of the Indian Distinguished Service Medal to the undermentioned non-commissioned officers :—

No. 4459. Colour Havildar Nawab Khan, 1st King George's Own Sappers and Miners.

No. 920, Havildar Jamansing Rai, Lushai Hills Military Police Battalion.

No. 970, Havildar Nainsing Sahi, Lushai Hills Military Police Battalion.

## PENSIONS.

### WARRANT OFFICERS.

No. 1078.—The undermentioned warrant officer has been transferred to the pension establishment, with effect from the date specified :—

3rd Class Assistant Surgeon Charles Austin Wilson Turner, Indian Subordinate Medical Department, Assistant Surgeon Branch,—14th September 1912.



## RESIGNATIONS.

## ARMY RESERVES.

No. 1079.—Second Lieutenant Edward Willey, Infantry Branch of the Indian Army Reserve of Officers, is permitted to resign the service, subject to His Majesty's approval. Dated the 28th September 1912.

## INDIAN SUBORDINATE MEDICAL DEPARTMENT.

## SUB-ASSISTANT SURGEON BRANCH.

*Bengal Establishment.*

No. 1080.—No. 1023, 1st Class Sub-Assistant Surgeon Lal-chand is permitted to resign the service ; with effect from the 1st December 1912.

## VOLUNTEER CORPS.

## APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

*Simla Volunteer Rifles.*

No. 1081.—Second Lieutenant Charles James Kennedy resigns his commission. Dated the 1st October 1912.

M. H. S. GROVER, *Major-General,*

*Secretary to the Government of India.*

## ARMY DEPARTMENT.

## NOTIFICATION.

*Simla, the 15th November 1912.*

Under Clause 53 of the Regulations appended to the Regimental Debts Act, 1893, it is notified that reports of the deaths of the undermentioned Commissioned and Warrant Officers on the dates specified, were received in the Army Department between the 23rd October and 12th November 1912 :—

Corps.	Rank and name.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
1st Battalion, The Border Regiment.	Lieutenant-Colonel Henry Montague Shallett O'Brien.	3rd November 1912	Maymyo	...	...
80th Carnatic Infantry.	Major Aubrey Vivian Searle	4th November 1912	England	...	...
107th Pioneers ...	Lieutenant Hugh C. ryndon Pendril Peake.	5th November 1912	Jhansi	...	...
63rd Battery, Royal Field Artillery.	2nd-Lieutenant Charles Campbell Hartley.	11th November 1912	Meerut	...	...
Indian Subordinate Medical Department.	Assistant Surgeon Robert William Chitts.	5th November 1912	Co'aba	...	...

*Erratum.*—In Army Department Notification, dated the 27th September 1912, published in the *Gazette of India* of the 28th September 1912, for "25th July 1912," read "26th July 1912" as the date of decease of Lieutenant Henry Gordon Bell.

*Statement of Deposits on account of Estates between the 9th October and 12th November 1912.*

On whose account.	Rank.	Corps.	Date of Decease.	Testate or Intestate.	Total unclaimed amount deposited.	Date to which claims will be received.
George Rowland Bird.*	Captain	4th Prince Albert Victor's Rajputs.	11th January 1912.	Intestate	Rs. a. p. 1,792 1 2	14th January 1913.

\*Next-of-kin—father.—Mr. G. R. Bird.

Address.—132, Cantonments, Meerut, United Provinces, India.

M. H. S. GROVER, *Major-General,*  
*Secretary to the Government of India.*

**RAILWAY DEPARTMENT.**  
(RAILWAY BOARD.)

**NOTIFICATIONS.**

*Simla, the 13th November, 1912.*

**No. 230.**—With reference to Railway Board's Notification No. 145, dated the 22nd August 1912, Mr. R. Watson, Officiating District Locomotive Superintendent, Eastern Bengal Railway, reverted to his substantive appointment of Erecting and Fitting shop Foreman on that railway, with effect from the 30th September 1912.

**No. 231.**—Mr. T. C. Hales, Assistant Traffic Superintendent, North Western Railway, officiated as a District Traffic Superintendent of that Railway from the 24th April 1912 to the 16th September 1912 inclusive.

Notifications No. 87, dated 21st June 1912 and Nos. 167 and 168, dated 19th September 1912, are hereby cancelled.

**No. 232.**—Mr. W. A. E. Hanby, Officiating Deputy Engineer-in-Chief, Eastern Bengal Railway, is confirmed in that appointment.

*The 15th November, 1912.*

**No. 233.**—With reference to Railway Board's Notification No. 140, dated the 15th August 1912, Rai Bahadur Milki Ram, Officiating Chief Storekeeper, and Mr. A. K. Muirhead, Officiating Storekeeper, North Western Railway, reverted respectively to their substantive appointments of Storekeeper in Class II, Grade 1, and Assistant Storekeeper in Class III, Grade 2, of the Superior Stores Establishment of State Railways, with effect from the 28th October 1912.

**No. 234.**—With reference to Railway Board's Notification No. 271, dated the 12th October 1911, Mr. E. B. Thorpe, Officiating Assistant Storekeeper, North Western Railway, reverted to his substantive appointment of Office Superintendent, Chief Storekeeper's office, with effect from the 28th October 1912.

**No. 235.**—Mr. V. H. Boalth, District Traffic Superintendent, North Western Railway, in Class II, Grade 1, of the Superior Revenue Establishment of State Railways, is appointed to officiate as a Deputy Traffic Superintendent in Class I of that Establishment, with effect from the 21st October 1912 and until further orders.

**No. 236.**—With reference to Railway Board's Notification No. 75, dated the 14th June 1912, Mr. N. C. Haldar, Officiating Deputy Traffic Superintendent, North Western Railway, reverted to his substantive appointment of District Traffic Superintendent in Class II, Grade 2, of the Superior Revenue Establishment of State Railways, with effect from the 21st October 1912.

**No. 237.**—Mr. R. Hatt-Cook, Assistant Engineer, is transferred from the Karachi Extension Railway Survey to the North Western Railway.



No. 238.—Mr. John Hunter Manley has been appointed by His Majesty's Secretary of State for India as Assistant Traffic Superintendent, in Class III, Grade 3, of the Superior Revenue Establishment of State Railways and is posted to the Eastern Bengal Railway.

No. 239.—Mr. Harding Neville Parker has been appointed by His Majesty's Secretary of State for India as a Probationary Assistant Traffic Superintendent in Class III, Grade 4, of the Superior Revenue Establishment of State Railways and is posted to the Eastern Bengal Railway.

No. 240.—The following is published for general information :—

No. 2230-R. T., dated the 11th November 1912.

RESOLUTION—By the Railway Board.

Adoption on the Bengal Provincial, Burma, Darjeeling-Himalayan, Dehri-Rohtas Light and Rohilkund and Kumaon Railways, and on such portions of the Bhavnagar, Great Indian Peninsula and His Highness the Nizam's Guaranteed State Railway systems as are situate in British territory, of the addendum to Rule 7, Chapter II, Part II, of the General Rules of 1906, for working open lines of railway—Addition of Chicken Pox and Mumps to the list of infectious and contagious disorders.

RESOLUTION.—The Administrations of the several railways, not administered by Government, which are noted on the margin,\* have applied for the adoption on those railways of the addendum promulgated with Railway Board's Circular No. 1560 R. T., dated the 17th August 1912, and published under their Notification No. 147, dated the 22nd August 1912, to Rule 7, Chapter II, Part II, of the General Rules of 1906, for working open lines of railway in British India, which rules were sanctioned for adoption on the Bengal Provincial, Burma, Darjeeling-Himalayan, Dehri-Rohtas Light and Rohilkund and Kumaon Railways and on such portions of the marginally noted Railway systems as are situate in British territory in the following Railway Board's resolutions and notifications :—

\* Bengal Provincial Railway.

Bhavnagar Railway.

Burma Railways.

Darjeeling-Himalayan Railway.

Dehri-Rohtas Light Railway.

Great Indian Peninsula Railway.

His Highness the Nizam's Guaranteed State Railway.

Rohilkund and Kumaon Railway.

Bhavnagar, Great Indian Peninsula and His Highness the Nizam's Guaranteed State Railway Systems.

Resolution No. 367 R. T., dated the 6th June 1907, and Notification No. 143, dated the 12th June 1907,

Resolution No. 599 R. T., dated the 10th July 1907, and Notification No. 171, dated the 12th July 1907,

Resolution No. 553 R. T., dated the 19th March 1908, and Notification No. 96, dated the 27th March 1908,

Resolution No. 233 R. T., dated the 13th February 1911, and Notification No. 52, dated the 21st February 1911,

Resolution No. 422 R. T., dated the 24th February 1908, and Notification No. 57, dated the 27th February 1908,

Resolution No. 148 R. T., dated the 3rd May 1907, and Notification No. 105, dated the 9th May 1907,

Resolution No. R.T.  $\frac{121A}{5}$ , dated the 29th January 1907, and Notification No. 20, dated the 30th January 1907, and

Resolution No. 296 R. T., dated the 27th May 1907, and Notification No. 136, dated the 7th June 1907.

2. In exercise of the powers conferred by the Notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1903, the Railway Board sanction, under section 47, sub-section (3), of the Indian Railways Act, 1890 (IX of 1890), the adoption of the

addendum cited in paragraph 1 above, on the Bengal Provincial, Burma, Darjeeling-Himalayan, Dehri-Rohtas Light and Rohilkund and Kumaon Railways, and on such portions of the marginally noted Railway systems as are situate in British territory.

**ORDER.**—Ordered, that this resolution be published under a notification in Part I of the *Gazette of India* as required by section 47, sub-section (3), of the Indian Railways Act, 1890 (IX of 1890), and that a copy of the amended General Rule be kept open for inspection at railway stations as directed by

The Government of Bengal, Railway Department.  
The Government of Bihar and Orissa, Public Works Department, Railway Branch.  
The Agents, Burma, Great Indian Peninsula and Rohilkund and Kumaon Railways.  
The Agent and Manager, His Highness the Nizam's Guaranteed State Railway.  
The Manager, Bhavnagar Railway.  
The Senior Government Inspectors of Railways, Circles Nos. 1 to 3 and 5 and 6.  
The Secretary, Indian Railway Conference Association.

sub-section (6) of the same section; also that a copy of this resolution be communicated to the Hon'ble the Resident at Hyderabad and to the Local Governments and Administrations and to the officers noted on the margin, for information.

**No. 241.**—With reference to Railway Board's Notification No. 58, dated 3rd March 1906, communicating the Secretary of State's sanction to the construction of a railway on the metre gauge from Kalaura, a station on the Assam-Bengal Railway, to Sylhet, it is hereby notified that the commencement of work on the Kooseara river Sylhet section has now been authorised, as an integral part of the Assam-Bengal Railway.

R. C. F. VOLKERS,

Secretary, Railway Board.





# The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 47.}

SIMLA, SATURDAY, NOVEMBER 23, 1912.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

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## PART I.

Government of India Notifications, Appointments, Promotions, &c.

## LEGISLATIVE DEPARTMENT.

### NOTIFICATIONS.

*Simla, the 19th November, 1912.*

No. 62.—In pursuance of the provisions of Regulation XVIII of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India, published under Notification No. 61, dated the 14th November, 1912, the Governor General is pleased to call upon the electorates mentioned below to elect in accordance with the said Regulations the Member or Members assigned to them respectively by the sixth day of January, 1913.

Electorates.	Members.
(i) The non-official Additional Members of the Council of the Governor of Bombay . . . . .	2
(ii) The non-official Members of the Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh . . . . .	2

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	Members.
(iii) The non-official Members of the Council of the Lieutenant-Governor of the Punjab ... ..	1
(iv) The non-official Members of the Council of the Lieutenant-Governor of Burma ... ..	1
(v) The non-official Members of the Council of the Chief Commissioner of Assam ... ..	1
(vi) The Sardars of Gujarat ... ..	1
(vii) The Landholders in the Province of Agra ... ..	1
(viii) The Muhammadan Landholders in the United Provinces of Agra and Oudh ... ..	1
(ix) The Muhammadan community in the Presidency of Bombay ...	1
(x) The Muhammadan community in the United Provinces of Agra and Oudh ... ..	1
(xi) The Bombay Chamber of Commerce ... ..	1

**No. 63.**—In pursuance of the provisions of Regulation XVIII of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India, published under Notification No. 61, dated the 14th November, 1912, the Governor General is pleased to call upon the electorates mentioned below to elect in accordance with the said Regulations the Member or Members assigned to them respectively by the fifteenth day of January, 1913.

Electorates.	Members.
(i) The non-official Additional Members of the Council of the Lieutenant-Governor of Bihar and Orissa ... ..	1
(ii) The District Councils and Municipal Committees in the Central Provinces ... ..	1
(iii) The Landholders in Bihar and Orissa... ..	1
(iv) The Landholders in the Central Provinces ... ..	1
(v) The Muhammadan community in Bihar and Orissa ... ..	1

**No. 64.**—In pursuance of the provisions of Regulation XVIII of the Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India, published under Notification No. 61, dated the 14th November, 1912, the Governor General is pleased to call upon the electorates mentioned below to elect in accordance with the said Regulations the Member or Members assigned to them respectively by the twenty-second day of January, 1913.

Electorates.	Members.
(i) The non-official Additional Members of the Council of the Governor of Fort William in Bengal ... ..	2
(ii) The Landholders in the Presidency of Bengal ... ..	1
(iii) The Muhammadan community in the Presidency of Bengal ...	1
(iv) The Bengal Chamber of Commerce ... ..	1



*Simla, the 21st November, 1912.*

**No. 65.**—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, Ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Fort William in Bengal.

# REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF FORT WILLIAM IN BENGAL.

**I. (1)** The Additional Members of the Legislative Council of the Governor of Fort William in Bengal shall ordinarily consist of— Number of Members.

**A**—Members elected by the classes specified in Regulation II, who shall be twenty-eight in number ;

**B.**—Members nominated by the Governor, who shall not exceed twenty in number, and of whom—

(a) not more than sixteen may be officials, and

(b) two shall be non-official persons to be selected,

(i) one from the Indian commercial community, and

(ii) one from the European commercial community, exclusive of the tea-planting community, and carrying on business outside Calcutta as defined by or under the Calcutta Municipal Act, 1899, and outside the Municipality of Chittagong.

(2) In addition to the forty-eight Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council :

**II.** The twenty-eight elected Members specified in Regulation I shall be Elected Members. elected as follows, namely :—

- |  |     |                |
|--|-----|----------------|
| (i) By the Corporation of Calcutta...  | ... | ... 1 Member.  |
| (ii) By the University of Calcutta ...   | ... | ... 1 Member.  |
| (iii) By Municipal Commissioners of certain Municipalities specified in Schedule III ..  | ... | ... 5 Members. |
| (iv) By District Boards and Local Boards   | ... | ... 5 Members. |
| (v) By the Landholders of the Presidency, Burdwan, Rajshahi and Dacca Divisions  | ... | ... 4 Members. |
| (vi) By the Municipal Commissioners of Municipalities in the Chittagong Division and the landholders of the Chittagong Division, alternately | ... | ... 1 Member.  |
| (vii) By the Muhammadan community  | ... | ... 5 Members. |
| (viii) By the Bengal Chamber of Commerce   | ... | ... 2 Members. |
| (ix) By the Calcutta Trades Association  | ... | ... 1 Member.  |
| (x) By the Commissioners of the Port of Chittagong   | ... | ... 1 Member.  |
| (xi) By certain Commissioners of the Corporation of Calcutta   | ... | 1 Member.      |
| (xii) By the Tea-planting community  | ... | ... 1 Member.  |

**III.** The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations. Electorates and electoral procedures

**IV.** No person shall be eligible for election as a Member of the Council if Ineligible candidates. such person—

- (a) is not a British subject, or
- (b) is an official, or
- (c) is a female, or

- (d) has been adjudged by a competent Court to be of unsound mind, or
- (e) is under twenty-five years of age, or
- (f) is an uncertificated bankrupt or an undischarged insolvent, or
- (g) has been dismissed from the Government service, or
- (h) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or
- (i) has been debarred from practising as a legal practitioner by order of any competent authority, or
- (k) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (g), (h), (i) and (k) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person,—

- (a) is a female, or
- (b) is a minor, or
- (c) has been adjudged by a competent Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been <sup>elected</sup> ~~nominated~~ an Additional Member of the Legislative Council of the Governor of Fort William in Bengal, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

- (a) not being eligible for election is elected under these Regulations, or
- (b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (d), (f), (g), (h) or (i) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bengal, within seven days from the date of the publication of the



result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as otherwise provided in these Regulations the term of office of an Additional Member shall be three years commencing from—

Term of office.

(a) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(b) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy :

Provided that when a casual vacancy occurs,—

(a) in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member ;

(b) in the case of a Member nominated as representing any class specified in Regulation I, sub-head B, clause (b), the person nominated shall be selected from the same class.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate.

Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Fort William in Bengal shall be exercised only at meetings at which ten or more Additional Members of the Council are present.

Quorum.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

*Explanation.*—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance  
with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election.

Disputes as to  
validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such inquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of decisions.

XVII. The decision of the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

## . SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE  
CORPORATION OF CALCUTTA.

1. The Member specified in Regulation II, sub-head (i), shall be elected in accordance with the procedure hereinafter prescribed by the Commissioners of the Corporation of Calcutta, who are not disqualified from voting.

2. (1) On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the Corporation shall be convened by the Chairman of the Corporation for the purpose of the election.

(2) Not less than fourteen clear days before the date fixed for such meeting, the Chairman shall send to each Commissioner a written notice informing him of the time and place fixed for such meeting.

3. (1) Any person not ineligible for election under these Regulations, who is a Commissioner of the Corporation, may be nominated as a candidate for election :

Provided that the Chairman is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be supplied by the Chairman to every Commissioner applying for the same.

(3) Each nomination paper shall be subscribed by two Commissioners as proposer and seconder :

Provided that no Commissioner shall subscribe more than one nomination paper.

4. (1) Where a Commissioner subscribes two or more nomination papers, all such nomination papers, except the one first received by the Chairman, shall be deemed to be invalid, and if the Chairman is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(2) Nomination papers which are not received by the Chairman at least seven clear days before the date fixed for the meeting shall be rejected.

(3) The Chairman shall prepare a list containing the names and addresses of all candidates in respect of whom nomination papers have been received by him as aforesaid, and shall cause such list to be posted in a conspicuous place at his office.

5. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Chairman before the date fixed for the meeting for the election.

(2) The Chairman shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

6. (1) At the meeting at which the election is held, the Chairman shall read out the names of all nominated candidates, and shall allow the candidates present to examine the nomination papers which have been received by him as aforesaid.

(2) The Chairman shall then examine the nomination papers and decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or



on such objection, any nomination paper on such ground; the decision of the Chairman shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

7. (1) If one duly nominated candidate only stands for election, the Chairman shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Chairman shall read out their names, and the Commissioners present shall thereupon proceed to make the election.

8. (1) The voting shall be by ballot, and each Commissioner shall have one vote only.

(2) If an objection is made to any vote on the ground that it is invalid, it shall be decided at once by the Chairman whose decision shall be final, save as provided in Regulations VIII and XVI.

9. When the counting of the votes has been completed by the Chairman, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

10. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Chairman and in such manner as he may determine.

11. The Chairman shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

12. Any of the functions assigned to the Chairman of the Corporation under this Schedule may be delegated by him to the Vice-Chairman or Deputy Chairman.

#### FORM.

##### NOMINATION PAPER.

(See rule 3.)

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

#### *Instruction.*

Nomination papers which are not received by the Chairman before the day of 19 shall be rejected.

## SCHEDULE II.

[See Regulation II, sub-head (ii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE  
UNIVERSITY OF CALCUTTA.*Preliminary.*

1. "Returning Officer" means the Registrar of the University of Calcutta, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

*Qualifications of electors.*

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of persons (hereinafter referred to as electors) who are members of the Senate or Honorary Fellows of the University of Calcutta having a place of residence in India.

*Qualifications and nomination of candidates.*

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

5. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes, or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting papers the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

6. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was first received by him, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final; save as provided in Regulations VIII and XVI.

*Voting.*

7. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India, whose address has been registered at the office of the Returning Officer, one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

8. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer :

Provided that, if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this rule, the Returning Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

9. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

*Counting of votes and declaration of result.*

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid and, if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.



(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

#### *Publication of result.*

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

#### *Appointment of dates, times and places.*

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the sending of nomination papers under rule 3;
- (b) the scrutiny of nomination papers under rule 6;
- (c) the sending of voting papers under rule 7;
- (d) the recording of votes under rule 8; and
- (e) the counting of votes under rule 11.

## FORM I.

*(See rule 3.)*

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

*Returning Officer.*

---

*Instruction.*

Nomination papers which are not received by the Returning Officer before  
the day of 19 shall be invalid.

## FORM II.

(See rule 7.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Members of the Senate and Honorary Fellows of the University of Calcutta. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark X is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the            day of            19            will be rejected.
6. Votes may be recorded in the presence of the Returning Officer between the hours of            and            on the            day of            19            at the            .



I hereby declare that I am a Member of the Senate (or an Honorary Fellow)  
of the University of Calcutta.

(Signed.)

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(Fold on this line.)

## SCHEDULE III.

[See Regulation II, sub-heads (iii) and (vi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY  
MUNICIPAL COMMISSIONERS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Local Government shall notify from time to time in the local official Gazette all Municipalities, outside Calcutta as defined by or under the Calcutta Municipal Act, 1899, which have a local income amounting to not less than five thousand rupees per annum.

*Explanation.*—For the purpose of these rules, "local income" means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the Account Heads "Extraordinary" and "Debt."

(2) Any Municipality in regard to which a notification under sub-rule (1) is for the time being in force shall for the purposes of this Schedule be a "notified Municipality."

3. (1) Of the five Members specified in Regulation II, sub-head (iii),—

(a) one shall be elected by the Commissioners of notified Municipalities in each of the following four Divisions, namely, the Presidency, Burdwan, Rajshahi and Dacca Divisions; and

(b) one shall be elected, at the first, third and succeeding alternate elections, by the Commissioners of notified Municipalities in the Presidency Division, and, at the second, fourth and succeeding alternate elections, by the Commissioners of notified Municipalities in the Burdwan Division.

(2) At the first, third and succeeding alternate elections, the Member specified in Regulation II, sub-head (vi), shall be elected by the Commissioners of notified Municipalities in the Chittagong Division.

*Explanation.*—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

4. (1) The number of votes assigned to each Municipality shall be determined in accordance with the following scale, namely:—

		Rs.	Rs.	
Municipalities with a local income of	...	5,000	and less than 10,000	1 vote.
Ditto	ditto	...	10,000 ditto	20,000 2 votes.
Ditto	ditto	...	20,000 ditto	50,000 3 "
Ditto	ditto	...	50,000 ditto	80,000 4 "
and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000 1 vote.				

(2) The number of votes to which each Municipality is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

5. (1) To determine the candidate to whom, or, where two Members are to be elected for the Division concerned, the two candidates to each of whom, the votes assigned to each Municipality in accordance with rule 4 shall be given, an election shall be held, in the manner hereinafter prescribed, by the Commissioners qualified to vote, other than officials appointed by name or *ex-officio*, of each of the notified Municipalities in each of the said Divisions.

(2) No such Commissioner shall have in any one Division more votes than the number of Members to be elected for the Division.

(3) The candidate or each of the two candidates, according as one or two Members are to be elected for the Division, to whom the largest number of votes is given by the Commissioners at any such election, shall be deemed to have obtained the number of votes so assigned to the Municipality in which such election has been held.

*Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations, who has a place of residence in the Division for the representation of the Municipalities in which he is a candidate and such practical connection with that Division as qualifies him to represent it, may be nominated as a candidate for election if he is, or has for any period aggregating three years been, a Commissioner of any Municipality situated in the Division.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule which shall be supplied by the Attesting Officer to any Commissioner mentioned in rule 5 (1) who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners of any Municipality in the Division as proposer and seconder :

Provided that no Commissioner shall subscribe more nomination papers than the number of Members to be elected for the Division.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of the Commissioners, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of the Commissioners is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer, and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine all nomination papers which have been received by him as aforesaid.

(2) Where a Commissioner subscribes more nomination papers than he is entitled to do under rule 6, all such nomination papers, except the one first received by the Attesting Officer, and, if two Members are to be elected, except



also the one received by him next after the one first received, shall be deemed to be invalid and if the Returning Officer is unable to determine which of such nomination papers was so received, all such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

#### *Voting.*

9. (1) If in any Division the number of duly nominated candidates who stand for election does not exceed the number of Members to be elected for the Division, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates who stand for election exceeds the number of Members to be elected for the Division, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

10. (1) On the date and at the time which the Local Government may appoint in this behalf, the Commissioners mentioned in rule 5 (1) of each notified Municipality in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each such Commissioner present one voting paper, in Form II, annexed to this Schedule, and such Commissioners shall thereupon proceed to record their votes.

(3) Each Commissioner shall write on the voting paper the name of the candidate or candidates whom he wishes to be elected, and shall mark his vote on the voting paper in the manner prescribed thereon and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that, if a Commissioner is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

11. (1) No Commissioner shall record his vote on more than one voting paper.

(2) Where a Commissioner records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

12. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 13 shall be rejected.

#### *Counting of votes and declaration of result.*

13. (1) On receiving the voting papers referred to in rule 12, the Returning Officer shall attend for the purpose of examining them on such date

and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules, and shall endorse on the voting paper the grounds for such rejection or discarding; and, save as provided in sub-rule (5) or in Regulation XVI, such rejection or discarding shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the Commissioner, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper or vote on the ground that it is not valid under these rules, or to the rejection or discarding by the Returning Officer of any voting paper or vote, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate or, where two Members are to be elected, the two candidates, who has or have obtained the number of votes assigned to the Municipality, and enter in Form III annexed to this Schedule the name or names of such candidate or candidates:

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be so declared, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate or of each of the candidates entered by him therein the number of votes to which the Municipality is entitled under rule 4 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

#### *Publication of result.*

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the attestation of nomination papers under rule 6 ;
- (b) the scrutiny of nomination papers under rule 8 ;
- (c) the meeting of the Commissioners of the Municipalities in any Division under rule 10 ;
- (d) the examination of voting papers and the counting of votes under rule 13.

## FORM I.

(See rule 6.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as Municipal Commissioners other than officials appointed by name or *ex-officio*, of the Municipality (or Municipalities) of \_\_\_\_\_ in the \_\_\_\_\_ Division.

Attesting Officer.

(Official designation.)

Dated the \_\_\_\_\_

---

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_.



## FORM II.

(See rule 10.)

## VOTING PAPER.

<sup>One</sup>  
~~Two~~ Additional Member (or Members) <sup>is</sup>  
~~are~~ to be elected to the Legislative  
Council of the Governor of Fort William in Bengal by the Commissioners of the  
Municipalities in the Division.

The Municipality.

Serial No.	Name of candidate.	Vote.

*Instructions.*

1. Each Commissioner shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.

2. Each Commissioner has one or two votes according as one or two Members are to be elected.

3. If a Commissioner has two votes, he may give both his votes to one candidate.

4. He shall vote by placing, or causing to be placed, the mark X, or the marks X X, opposite the name of the candidate (or candidates) to whom he desires to give his vote or votes.

5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.

6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.

7. The Commissioner shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

---

*(Fold on this line.)*

*(Signature of Commissioner.)*

## FORM III.

(See rule 13.)

RESULT OF ELECTION BY THE COMMISSIONERS OF THE  
MUNICIPALITY.

The  $\frac{\text{vote}}{\text{votes}}$  of the Municipality  $\frac{\text{has}}{\text{have}}$  been given to the under-  
mentioned candidate or candidates at the meeting of the Commissioners held on  
the day of , 19 .

Names of candidates.	Number of votes.

*Returning Officer.*

## SCHEDULE IV.

[See Regulation II, sub-head (iv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS  
BY THE DISTRICT BOARDS AND LOCAL BOARDS.*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (iv), one shall be elected by the District Boards and Local Boards of each of the following five Divisions, namely, the Presidency, Burdwan, Rajshahi, Dacca and Chittagong Divisions.

3. (1) The number of votes assigned jointly to the District Board and the Local Boards in each district shall be determined in accordance with the following scale :—

District Boards with an annual income (exclusive of opening balances and receipts from loans)	...	...	...	not exceeding	Rs. 75,000	...	1 vote.
Ditto	ditto	...	exceeding 75,000 but less than		1,25,000	...	2 votes.
			and for every additional Rs. 50,000 or part thereof in excess of		1,25,000	...	1 vote.

(2) The number of votes to which the District Board and the Local Boards in each district are jointly entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

4. (1) To determine the candidate to whom the votes jointly assigned to the District Board and Local Boards in each district in accordance with rule 3 shall be given, an election shall be held, in the manner hereinafter prescribed, by the persons (hereinafter referred to as electors) who are members, other than officials appointed by name or *ex-officio*, of the District Board and Local Boards of each district of the said Divisions and are qualified to vote.

(2) No elector shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the electors at any such election shall be deemed to have obtained the number of votes so assigned jointly to the District Board and Local Boards holding such election.

*Qualifications and nomination of candidates.*

5. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the District Boards and Local Boards of which he is a candidate and such practical connection with that Division as qualifies him to represent it may be nominated as a candidate for election, if he is or has for any period aggregating three years been a member of any District Board within the Division concerned.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector who may ask for the same.



(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of electors or if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

#### *Scrutiny of nomination papers.*

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

#### *Voting.*

8. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

9. (1) On the date and at the time which the Local Government may appoint in this behalf, the electors of each District in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each elector present one voting paper, in Form II annexed to this Schedule, and such electors shall thereupon proceed to record their votes.

(3) Each elector shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that if an elector is unable to read or write or is by reason of blindness, or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

10. (1) No elector shall record his vote on more than one voting paper.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

11. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 12 shall be rejected.

*Counting of votes and declaration of result.*

12 (1) On receiving the voting papers referred to in rule 11, the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected," with the grounds for such rejection, on any such voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned jointly to the District Board and Local Boards of the district concerned, and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be so

declared, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered therein under sub-rule (7) the number of votes to which the District Board and Local Boards of the district are jointly entitled under rule 3 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal-up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the attestation of nomination papers under rule 5 ;
- (b) the scrutiny of nomination papers under rule 7 ;
- (c) the meeting of electors in any Division under rule 9 ; and
- (d) the examination of voting papers and the counting of votes under rule 12.

## FORM I.

(See rule 5.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as members of the District Board (or Boards) of \_\_\_\_\_ [or the Local Board (or Boards) of \_\_\_\_\_], other than officials appointed by name or *ex-officio*, in the Division.

Attesting Officer.

(Official designation.)

Dated the \_\_\_\_\_

---

Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and between the hours of \_\_\_\_\_ and \_\_\_\_\_



## FORM II.

(See rule 9.)

## VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the District Boards and Local Boards in the Division.

The District Board and Local Boards of the

District.

Name of candidate.

*Instructions.*

1. Each elector shall vote by entering the name of the candidate to whom he desires to give his vote.
2. Each elector has one vote.
3. The voting paper shall be invalid if more votes than one are recorded on it.
4. The elector shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

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*(Fold on this line.)*

*Signature of elector.*

## FORM III.

(See rule 12.)

RESULT OF ELECTION BY THE DISTRICT BOARD AND LOCAL BOARDS  
OF THE DISTRICT.

The <sup>vote</sup> of the District Board and Local Boards of the District  
<sup>has</sup> been given to the undermentioned candidate at the meeting of the electors  
<sup>have</sup> held on the      day of      , 19      .

Name of candidate.	Number of votes.

*Returning Officer.*

## SCHEDULE V.

[See Regulation II, sub-heads (v) and (vi), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE LANDHOLDERS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Calcutta" means the Presidency-town of Calcutta.

(3) The Chittagong Division shall be deemed not to include the Chittagong hill-tracts.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) Of the four Members specified in Regulation II, sub-head (v), one shall be elected by landholders in each of the Presidency, Burdwan, Rajshahi and Dacca Divisions.

(2) At the second, fourth and succeeding alternate elections, the Member specified in Regulation II, sub-head (vi), shall be elected by landholders in the Chittagong Division.

*Explanation.*—The expression "alternate elections" shall not be deemed to include elections to fill casual vacancies.

*Qualifications of electors.*

3. The election shall be made by landholders qualified to vote and having a place of residence within the Division concerned who—

(a) in the case of the Presidency and Burdwan Divisions, hold in their own right, as proprietors, one or more estates or shares of estates and pay in respect thereof land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than one thousand five hundred rupees per annum; or

(b) in the case of the Rajshahi, Dacca or Chittagong Division, hold in their own right one or more estates or shares of estates as proprietors, or one or more permanent tenures or shares of such tenures held direct from such proprietors and pay in respect thereof land-revenue amounting to not less than three thousand rupees or road and public works cesses amounting to not less than seven hundred and fifty rupees per annum; or

(c) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab :

Provided that no landholder shall have more than one vote in any one Division though he may possess more than one of the qualifications above described.



*Electoral roll.*

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll of landholders qualified under rule 3 (hereinafter referred to as electors) for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any landholder whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll for any Division in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such Division, and, in the case of the Presidency Division, also at the office of the Chief Presidency Magistrate.

5. In determining the eligibility of a landholder under rule 3, clauses (a) and (b), to have his name entered on the electoral roll for any Division—

(a) only such estates and shares of estates as are held by him, whether in one or more Divisions, in his own right and not in a fiduciary capacity, and are registered in his own name in registers maintained under the Land Registration Act, 1876, shall be taken into account;

(b) in the case of the Rajshahi, Dacca and Chittagong Divisions, only such tenures and shares of tenures as are held by him as owner in his own right, and not in a fiduciary capacity, shall be taken into account;

(c) if the amount of revenue and road or public works cesses paid by a landholder in respect of any such share of an estate or tenure is not definitely known, the District Officer of the District in which such estate or tenure is situated shall estimate the amount so paid in respect of such shares, and his decision shall be final; and

(d) if a landholder pays land-revenue or cesses in two or more Divisions and his payments in none of such Divisions reach the amount prescribed for that Division, his payments within all the Divisions shall be aggregated and, if such aggregate equals or exceeds the amount prescribed for the Division in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that Division; provided that where any such payment is made in respect of permanent tenures or shares of such tenures he shall be entered in the electoral roll for the Division, excluding the Presidency and Burdwan Divisions, in which he makes the largest payment, if the aggregate aforesaid equals or exceeds the amount prescribed for that Division.

6. The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral rolls.*

7. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on any of the said electoral rolls and who claims to have his name included therein, and any person who objects to the entry of any name in any such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if such landholder or person resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls as added to or altered on such revision, shall be published and posted as provided in rule 4.

*Qualifications and nomination of candidates.*

8. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election in the Division in which he is qualified as an elector.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or any District Magistrate to any elector in that Division applying for the same.

(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

9. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

10. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to

examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

*Voting.*

11. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of the names of such candidates in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send by registered post to each elector one such voting paper:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

12. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 13 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

13. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

#### *Publication of result.*

16. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

#### *Appointment of dates, times and places.*

17. The Local Government shall appoint and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of drafts and electoral rolls under rule 4;
- (b) the revision of electoral rolls under rule 7;
- (c) the attestation of nomination papers under rule 8;
- (d) the scrutiny of nomination papers under rule 10;
- (e) the sending of voting papers under rule 11;
- (f) the attestation of voting papers under rule 11; and
- (g) the counting of votes under rule 13.





## FORM II.

(See rule 8.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as electors Nos. \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Landholders for the \_\_\_\_\_ Division.

Dated the \_\_\_\_\_

Attesting Officer.

(Official designation.)

## Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_.

## FORM III.

(See rule 11.)

## VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the landholders of the Division. The following ( ) candidates have been duly nominated.

Serial No.	Names of candidates.	Vote.

*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark X is placed opposite the name of more than one candidate or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked, the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer in an envelope on or before the      day of 19      , and between the hours of      and

I hereby declare that I am the person whose name appears as  
No. \_\_\_\_\_ on the electoral roll of Landholders for the  
Division. \_\_\_\_\_

*Elector.*

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or  
who has been identified to my satisfaction).

*Dated the* \_\_\_\_\_

*Attesting Officer.*

*(Official designation.)*



## SCHEDULE VI.

[ See Regulation II, sub-head (vi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS  
BY THE

MUHAMMADAN COMMUNITY.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Calcutta" means the Presidency-town of Calcutta.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (vii), one Member shall be elected for each of the following five electoral areas, namely:—

- I. The Presidency Division;
- II. The Burdwan Division;
- III. The Rajshahi Division;
- IV. The Dacca Division;
- V. The Chittagong Division (excluding the Chittagong Hill-tracts).

*Qualifications of electors.*

3. The election shall be made by the votes of Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

- (a) hold a title recognised or conferred by the Government or are members of the Order of the Star of India or the Order of the Indian Empire, or hold a Kaisar-i-Hind Medal; or
- (b) are Ordinary or Honorary Fellows of the University of Calcutta; or
- (c) are Honorary Magistrates; or
- (d) are in the service of Government on a salary of rupees two thousand or more per annum; or
- (e) are Barristers-at-law, Attorneys at law, Vakils, or Pleaders; or
- (f) are graduates of any University or Institution recognised by the Government in the United Kingdom or British India; or
- (g) are licentiates or diploma holders in Surgery or Medicine of any University or Institution, recognised by the Government in the United Kingdom or British India; or
- (h) (i) are licentiates in engineering of any University recognised by the Government in the United Kingdom or British India; or
- (ii) have passed the examination appointed by the Council of the Institute of Civil Engineers, London, for candidates for Associate Membership of that Institute, or any examination recognised by the said Council as exempting such candidates from the examination first mentioned; or
- (i) (i) in the case of the Presidency and Burdwan Divisions, are teachers in any institution maintained or aided by the Government or affiliated to or recognised by the University of Calcutta or recognised by the Director of Public Instruction:

Provided that such teachers are not less than thirty years of age and receive a monthly salary of not less than fifty rupees in Calcutta, or not less than twenty-five rupees in any place other than Calcutta; or

- (ii) in the case of the Rajshahi, Dacca and Chittagong Divisions, are teachers in any high school recognised by the University of



Calcutta, or by any college affiliated thereto or by any Madrassa recognised by the Government, and hold certificates of having passed the final examination of a recognised Madrassa; or

- (j) are Registrars authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876; or
- (k) are holders in their own right, as proprietors or permanent tenure holders, of one or more estates or shares of estates or of one or more permanent tenures held direct from such proprietors, or of shares of such tenures, and pay in respect thereof—
  - (i) in the Presidency or Burdwan Division, land-revenue amounting to not less than one hundred and twenty-five rupees per annum or road and public works cesses amounting to not less than thirty-one rupees four annas, per annum; or
  - (ii) in the Rajshahi, Dacca or Chittagong Division, land-revenue amounting to not less than one hundred rupees per annum or road and public works cesses amounting to not less than fifty rupees per annum; or
- (l) have during the financial year immediately preceding that in which the election is held paid on their own account income-tax on an income of not less than three thousand rupees in Calcutta, two thousand rupees in other parts of the Presidency Division, or in the Burdwan Division, or one thousand rupees in the Rajshahi, Dacca or Chittagong Division; or
- (m) are in receipt of pensions from the Government as gazetted or commissioned officers of Government or of not less than fifty rupees per mensem:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described; and if an elector is entitled to vote in any one of two or more Divisions, he may, by intimation in writing given to the Returning Officer not later than such date as the Local Government may prescribe, choose, or in his default, if intimation of such default is given to the Returning Officer or to the Local Government by any other elector within sufficient time to admit of orders being passed, the Local Government shall fix the Division in which he shall vote, and his name shall be entered in the electoral roll for that Division only.

*Explanation.*—For the purposes of this rule—

- (1) in determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of his own personal share shall be taken into account, and
- (2) "holder in his own right" shall include a *mutawalli* or manager of a wakf estate, but shall not include a trustee or manager of an estate other than a wakf estate.

#### *Electoral rolls.*

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any Muhammadan whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in any such draft, may, within fifteen days after the publication of the draft under sub-rule (1) of this rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, or, if he resides in Calcutta, through the Chief Presidency Magistrate, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral rolls, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the said roll for any electoral area in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in such electoral area and, in the case of the Presidency Division, also at the office of the Chief Presidency Magistrate.

(6) The electoral rolls shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral rolls.*

5. (1) The electoral rolls published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the District Magistrate, so far as the roll relates to his district, and the Chief Presidency Magistrate, so far as such roll relates to Calcutta, may of his own motion, and shall on the application of any Muhammadan whose name does not appear on any such roll and who claims to have his name inserted therein, or of any person who objects to the entry of any name therein, revise the said roll.

(3) On such revision the District Magistrate or Chief Presidency Magistrate after making such inquiry and hearing such persons as he may consider necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the District Magistrate or Chief Presidency Magistrate to the Commissioner of the Division, whose decision shall be final.

(5) Every such appeal shall be preferred within one week from the date of the order appealed against :

Provided that the Commissioner may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

*Qualifications and nomination of candidates.*

6. (1) Any Muhammadan not ineligible for election under these Regulations whose name is on the electoral roll for the electoral area concerned may be nominated as a candidate for election if he has a place of residence in the electoral area for which he is a candidate.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or by a District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before such date and at such time as may be appointed by the Local Government in this behalf, and if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the attestation of voting papers, or, if the period between the dates fixed for the scrutiny of nomination papers and the attestation of voting papers is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

*Voting.*

9. (1) If in any electoral area one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of the names of such candidates in such manner as the Local Government may prescribe.

(3) In the case referred to in sub-rule (2), the Returning Officer shall forthwith cause the names of the candidates to be entered in voting papers in Form III annexed to this Schedule, and shall sign and send to each elector by registered post one such voting paper:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

10. (1) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P.M. on that date, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(2) The elector shall then proceed to a place screened from observation which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(3) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(4) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(5) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him under sub-rule (2) to the Returning Officer by registered post in a packet securely sealed with his official seal.

(6) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

*Counting of votes and declaration of result.*

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in rule 12 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

15. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of drafts and electoral rolls under rule 4 ;
- (b) the revision of electoral rolls under rule 5 ;
- (c) the attestation of nomination papers under rule 6 ;
- (d) the scrutiny of nomination papers under rule 8 ;
- (e) the attestation of voting papers under rule 10 ; and
- (f) the counting of votes under rule 12.

FORM I.

(See rule 4.)

## ELECTORAL ROLL OF MUHAMMADANS FOR ELECTORAL AREA III.

Serial No. on roll.	Name of district.	Name of elector	Father's name.	Address.	Qualifications.
1	2	3	4	5	6



## FORM II.

(See rule 6.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence on the      day of      19      by      and  
     who are personally known to me (or who have been identified to my  
 satisfaction) as electors Nos.      and      on the electoral roll of Muham-  
 madans for electoral area No.     

Dated the

Attesting Officer.

(Official designation.)

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation at      on or before the  
 day of      and between the hours of      and
3. Nomination papers which are not received by the Returning Officer before  
 the hour of      on the      day of      19  
 shall be rejected.

## FORM III.

(See rule 9.)

An Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Muhammadan community in electoral area No. .

The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark X is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of an Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer, enclosed in the envelopes to be supplied to the electors for the purpose, on or before the day of 19 and between the hours of and .

I hereby declare that I am the person whose name appears as [  
No. on the electoral roll of Muhammadans for electoral area No.

C. N.,  
*Elector.*

*(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or  
who has been identified to my satisfaction).

*Dated the*

X. Y.,  
*Attesting Officer.*  
*(Official designation.)*

## FORM IV.

(See rule 10.)

## LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Dated the

Attesting Officer.  
(Official designation.)

## SCHEDULE VII:

[See Regulation II, sub-head (viii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY  
THE BENGAL CHAMBER OF COMMERCE.

*Preliminary.*

1. "Returning Officer" means the Secretary to the Bengal Chamber of Commerce, and includes any officer of the Chamber deputed for the time being by the Secretary to perform his duties under these rules.

*Qualifications of electors.*

2. (1) The two Members specified in Regulation II, sub-head (viii), shall be elected by the votes of persons qualified to vote, who—

(a) are permanent members of the Bengal Chamber of Commerce,  
or

(b) are entitled to exercise the rights and privileges of permanent membership of the said Chamber on behalf, and in the name, of any firm or Joint-Stock Company or other Corporation,

and who have a place of residence in India (hereinafter referred to as "electors").

(2) An elector shall have one or two votes according as one or two Members are to be elected.

*Qualifications and nomination of candidates.*

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election:

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by an elector by a separate letter sent to the Returning Officer.

(3) No elector shall subscribe more nomination letters than the number of Members to be elected.

(4) Where an elector subscribes more nomination letters than he is entitled to do under sub-rule (3), all such nomination letters, except the one first received by the Returning Officer, and, if two Members are to be elected, except also the one received by him next after the one first received, shall be rejected, and if the Returning Officer is unable to determine which of such nomination letters was so received, all such letters shall be rejected.

4. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the counting of votes.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Returning Officer may think fit, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Voting.*

5. (1) If the number of duly nominated candidates who stand for election does not exceed the number of candidates to be elected, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of duly nominated candidates who stand for election exceeds the number of candidates to be elected, the Returning Officer shall send to each elector a list of such candidates and one voting paper.



6. Any elector may send his voting paper to the Returning Officer after recording his vote thereon :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

*Counting of votes and declaration of result.*

7. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it is invalid under these rules, and shall endorse on the voting paper the grounds for such rejection or discarding; and, save as provided in rule 8 (3) or in Regulation XVI, such rejection or discarding shall be final.

8. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorized by him in writing, to watch the process of counting.

(3) If an objection is made to any voting paper or vote on the ground that it is invalid under these rules, or to the rejection by the Returning Officer of any voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(4) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

9. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of the votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

10. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

11. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

12. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the sending of nomination letters under rule 3 (2);
- (b) the sending of lists and voting papers under rule 5 (2);
- (c) the sending of voting papers under rule 6; and
- (d) the counting of votes under rule 8.

## SCHEDULE VIII.

[See Regulation II, sub-head (ix), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE CALCUTTA TRADES ASSOCIATION.

*Preliminary.*

1. The Member specified in Regulation II, sub-head (ix), shall be elected by the Calcutta Trades Association in accordance with the procedure hereinafter prescribed.

*Qualifications of electors.*

2. The election shall be made by the votes of members of the Calcutta Trades Association which may be given—

(a) by any proprietor of, or partner in, any firm which is a member of the said Association, or

(b) in the absence of such proprietor or partner from Calcutta, by any person empowered to sign for such firm, or

(c) by any director, manager or secretary of any joint stock company which is a member of the said Association,

who is qualified to vote and has a place of residence in India.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a general meeting of the Association shall be convened by the Master for the purpose of the election.

(2) Not less than fourteen clear days before the date fixed for such meeting, the Master shall send to each member of the Association a written notice informing such member of the time and place fixed for such meeting.

*Qualifications and nomination of candidates.*

4. (1) Any person, not ineligible for election under these Regulations, who belongs to one of the classes of persons referred to in rule 2 and has served for a period of at least two years on the Committee of the Association, may be nominated as a candidate for election: provided that the Master is satisfied that such person is willing to be so nominated.

(2) Every nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be forwarded by the Master to every member of the Association, with the written notice convening the meeting at which the election is to be made.

(3) Each nomination paper shall be subscribed by two persons, of the classes referred to in rule 2, as proposer and seconder.

(4) No such person shall subscribe more than one nomination paper.

5. (1) Where any such person subscribes two or more nomination papers, all such nomination papers, except the one first received by the Master, shall be deemed to be invalid, and if the Master is unable to determine which of such nomination papers was received first, both or all of such papers shall be deemed to be invalid.

(2) Nomination papers which are not received by the Master at least seven clear days before the date fixed for the meeting shall be rejected.

(3) The Master shall prepare a list of all candidates in respect of whom he has received nomination papers as aforesaid, and shall cause such list to be posted in a conspicuous place at the office of the Association.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Master before the date fixed for the meeting for election.

(2) The Master shall forthwith notify the withdrawal of any candidate in such manner as he thinks fit, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Voting and declaration of result.*

7. (1) At the meeting at which the election is held the Master shall read out the names of all nominated candidates, and shall allow the persons referred to in rule 2 who are present at the meeting to examine the nomination papers which have been received by him as aforesaid.

(2) The Master shall then examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Master shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

8. (1) If one duly nominated candidate only stands for election, the Master shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Master shall forthwith prepare a list of such candidates containing their names and addresses, and shall read out their names and the Association shall then proceed to make the election.

9. (1) The voting shall be by ballot, and each member of the Association shall have one vote only, which must be given personally by the person entitled to vote as provided in rule 2.

(2) If an objection is made to any vote on the ground that it is invalid under these rules, it shall be decided at once by the Master whose decision shall be final, save as provided in Regulations VIII and XVI.

10. When the counting of the votes has been completed by the Master, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

11. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Master and in such manner as he may determine.

12. The Master shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

13. Any of the functions assigned to the Master under this Schedule may be delegated by him to any officer of the Association.

## FORM.

*(See rule 4.)*

## NOMINATION PAPER.

1. Name of candidate.
2. Age.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

---

*Instruction.*

Nomination papers which are not received by the Master before the  
day of 19 shall be rejected.

## SCHEDULE IX.

[See Regulation II, sub-head (x), and Regulation III.]

**RULES FOR THE ELECTION OF A MEMBER BY THE COMMISSIONERS OF  
THE PORT OF CHITTAGONG.**

1. On or before such date as may be appointed by the Governor in this behalf, the Member specified in Regulation II, sub-head (x), shall be elected by the Commissioners of the Port of Chittagong.
2. Any person not ineligible for election under these Regulations may be elected.
3. The election shall be carried out in the manner prescribed in section 59 of the Chittagong Port Commissioners Act, 1887, for the decision of questions which come before the Commissioners.
4. The Chairman of the Commissioners shall forthwith report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.



## SCHEDULE X.

[See Regulation II, sub-head (xi), and Regulation III.]

## RULES FOR THE ELECTION OF A MEMBER BY CERTAIN COMMISSIONERS OF THE CORPORATION OF CALCUTTA.

*Preliminary.*

1. "Returning Officer" means the Chairman of the Corporation of Calcutta, and includes any officer of the Corporation deputed for the time being by the Chairman to perform his duties under these rules.

2. The Member specified in Regulation II, sub-head (xi), shall be elected in accordance with the procedure hereinafter prescribed by persons (hereinafter referred to as electors) who are Commissioners of the Corporation of Calcutta, other than those appointed by the Local Government, and are not disqualified from voting.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the electors shall be convened by the Returning Officer for the purpose of the election :

Provided that the meeting shall not be convened on the same date on which the meeting of the Corporation for the purpose of the election under Schedule I is convened under rule 2 (1) of that Schedule.

(2) Not less than fourteen clear days before the date fixed for such meeting the Returning Officer shall send to each elector a written notice informing him of the time and place fixed for such meeting.

*Qualifications and nomination of candidates.*

4. (1) Any person not ineligible for election under these Regulations, who has either resided for a period of at least twelve months immediately preceding the date appointed under rule 3 or maintained a permanent place of residence in Calcutta as defined by or under the Calcutta Municipal Act, 1893, may be nominated as a candidate for election :

Provided that the Returning Officer is satisfied that such person is willing to be so nominated.

(2) Such nomination shall be made by means of a nomination paper in the Form annexed to this Schedule, which shall be supplied by the Returning Officer to every elector applying for the same.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers which are not received by the Returning Officer at least seven clear days before the date fixed for the meeting shall be rejected.

5. The Returning Officer shall prepare a list containing the names and addresses of all candidates in respect of whom nomination papers have been received by him as aforesaid, and shall cause such list to be posted in a conspicuous place at his office.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer before the date fixed for the meeting for the election.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

7. (1) On the date fixed for the meeting, but before such meeting, every candidate and his proposer and seconder may attend at the time and place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Returning Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall then examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

*Voting and declaration of result.*

8. (1) If one duly nominated candidate only stands for election, the Returning Officer shall at the meeting at which the election is held forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith read out their names and the electors present shall thereupon proceed to make the election.

9. (1) The voting shall be by ballot, and each elector shall have one vote only.

(2) If an objection is made to any vote on the ground that it is invalid, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

10. When the counting of the votes has been completed by the Returning Officer, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

11. Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. The Returning Officer shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

**FORM.**

**NOMINATION PAPER.**

(See rule 4.)

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

*Instruction.*

Nomination papers which are not received by the Returning Officer before  
the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ shall be rejected.

## SCHEDULE XI.

[See Regulation II, sub-head (xii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE TEA PLANTING COMMUNITY.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform such duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

*Qualifications of electors.*

2. The election of the Member specified in Regulation II, sub-head (xii), shall be made by Managers of tea gardens in which the area under cultivation of tea is not less than one hundred acres and which are situated in the Presidency of Fort William in Bengal.

*Explanation.*—"Manager" means any person in charge of a tea garden by whatever name called.

*Electoral roll.*

3. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) Any Manager of a tea garden whose name does not appear in any such draft and who claims to have his name included therein, and any person who objects to the entry of any name in such draft, may, within fifteen days after the publication of the draft under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which the tea garden is situated or such person resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered by the Returning Officer, shall be published by him in the local official Gazette.

(5) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of the District Magistrate of every district in which any of the tea gardens is situated.

4. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

*Revision of electoral roll.*

5. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any Manager of a tea garden whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under sub-rule (1), forward to the Returning Officer, either direct or through the District Magistrate of the district in which the tea garden is situated or such person resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

*Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied to any elector asking for the same by the Returning Officer or the District Magistrate of the district in which such elector resides.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder :

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by the Attesting Officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the recording of votes ; or, if the period between the dates fixed for the scrutiny of nomination papers and the recording of votes is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall remove from the list of candidates and from the voting paper the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the

ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

*Voting.*

9. (1) If one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish a list of their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, but not later than 5 P. M. on that date, every elector desirous of recording his vote in the presence of an Attesting Officer shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer, and shall then proceed to a place screened from observation which shall be provided by the Attesting Officer and there record his vote on the voting paper in accordance with the instructions on the face thereof, and, after placing the voting paper in an envelope and closing the same, shall deliver it to the Attesting Officer.

(5) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(6) If an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by the foregoing provisions of this rule, the Attesting Officer shall assist him in such manner as may be necessary to mark the voting paper and to sign the declaration on the back thereof.

(7) Any elector not desirous of recording his vote in the presence of an Attesting Officer, may send his voting paper by registered post to an Attesting Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Attesting Officer before the day appointed under sub-rule (4) shall be rejected.

(8) The Attesting Officer shall, at the close of the day appointed as the latest date for the recording of votes, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(9) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose votes have been recorded in his presence.

*Counting of votes and declaration of result.*

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) Where an elector records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and, if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is



invalid under these rules, and, save as provided in rule 11 (4) or in Regulation XVI, such rejection shall be final.

(4) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it is invalid, under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

#### *Publication of result.*

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

#### *Appointment of dates, times and places.*

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the draft electoral roll and the electoral roll under rule 3 ;
- (b) the revision of the electoral roll under rule 5 ;
- (c) the attestation of nomination papers under rule 6 ;
- (d) the scrutiny of nomination papers under rule 8 ;
- (e) the sending of voting papers under rule 9 ;
- (f) the recording of votes under rule 9 (4) ; and
- (g) the counting of votes under rule 11.

## FORM I.

(See rule 3.)

ELECTORAL ROLL OF MANAGERS OF TEA GARDENS IN THE PRESIDENCY  
OF FORT WILLIAM IN BENGAL.

Serial No.	District.	Name of elector.	Address of elector.	Qualification.
1	2	3	4	5

## FORM II.

(See rule 6.)

## NOMINATION PAPER.

1. Name of candidate.
2. Age.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as electors Nos. \_\_\_\_\_ and \_\_\_\_\_ on the electoral roll of Managers of Tea Gardens in the Presidency of Fort William in Bengal.

*Attesting Officer.**Dated the**(Official designation.)**Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation at \_\_\_\_\_ on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and between the hours of \_\_\_\_\_ and \_\_\_\_\_.

## FORM III.

(See rule 9.)

## VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Fort William in Bengal by the Managers of tea gardens in the Presidency of Fort William in Bengal. The following ( ) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

*Returning Officer.*

*Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark X is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Votes may be recorded in the presence of an Attesting Officer on or before the      day of      19      and between the hours of

I hereby declare that I am the person whose name appears as No. on the  
electoral roll of Managers of tea gardens in the Presidency of Fort William in Bengal.

*(Fold on this line.)*

*Dated the*





**No. 66.**—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, Ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa.

### REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BIHAR AND ORISSA.

Number of Members.

I. (1) The Additional Members of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number ;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed nineteen in number, and of whom not more than fifteen may be officials.

(2) In addition to the forty Members above specified, the Lieutenant-Governor may, with the sanction of the Governor General, nominate one more person, whether official or non-official, having expert knowledge of subjects connected with proposed or pending legislation, to be a Member of the Council :

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

Elected Members.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the Municipal Commissioners	...	...	...	5 Members.
(ii) By the District Boards	...	...	...	5 Members.
(iii) By the Landholders	...	...	...	5 Members.
(iv) By the Muhammadan Community	...	...	...	4 Members.
(v) By the Mining Community	...	...	...	1 Member.
(vi) By the Planting Community	...	...	...	1 Member.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

- (a) is not a British subject, or
- (b) is an official, or
- (c) is a female, or
- (d) has been adjudged by a competent Court to be of unsound mind, or
- (e) is under twenty-five years of age, or
- (f) is an uncertificated bankrupt or an undischarged insolvent, or
- (g) has been dismissed from the Government service, or

(h) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(i) has been debarred from practising as a legal practitioner by order of any competent authority, or

(k) has been declared by the Lieutenant-Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Lieutenant-Governor in Council, be contrary to the public interest :

Provided that in cases (g), (h), (i) and (k) the disqualification may be removed by an order of the Lieutenant-Governor in Council in this behalf.

V. No person shall be eligible for election under any sub-head of Regulation Qualifications of candidates. unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

VI. No person shall be qualified to vote at any election held under these Disqualifications of voters. Regulations if such person—

(a) is a female, or

(b) is a minor, or

(c) has been adjudged by a competent Court to be of unsound mind.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :— Oath of office.

I, A. B., having been <sup>elected</sup><sub>nominated</sub> an Additional Member of the Legislative Council of the Lieutenant-Governor of Bihar and Orissa, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

VIII. (1) If any person— Power to declare seats vacant.

(a) not being eligible for election is elected under these Regulations, or,

(b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (d), (f), (g), (h) or (i) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor in Council may consider reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elect-  
ed by several electo-  
rates.

IX (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bihar and Orissa, within seven days from the date of the publication of the result of such elections in the local official Gazette choose, or in his default, the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

Term of office.

X. (1) Save as otherwise provided in these Regulations, the term of office of an Additional Member shall be three years commencing from,

(a) in the case of a nominated Member, the date of the publication in the local official Gazette of the notification by which he is nominated,

(b) in the case of an elected Member, the date of the publication in the local official Gazette of the result of the election, or, where the result of such election has been so published before the vacancy has occurred, from the date on which such vacancy occurs :

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

Vacancies.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Bihar and Orissa shall be exercised only at meetings at which ten or more Additional Members of the Council are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

- (ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election:

*Explanation.*—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of Forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules, and that such non-compliance or mistake did not affect the result of the election. Non-compliance with rules.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election. Disputes as to validity of elections.

(2) The Lieutenant-Governor in Council shall, after such inquiry (if any) as he may consider necessary, declare by notification as aforesaid whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

XVII. The decision of the Lieutenant-Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final. Finality of decisions.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions. First elections.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

## SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPAL COMMISSIONERS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. (1) The Local Government shall notify from time to time in the local official Gazette all Municipalities which have a local income amounting to not less than five thousand rupees per annum.

*Explanation.*—For the purpose of these rules "local income" means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contribution, and receipts under the Account Heads "Extraordinary" and "Debt."

(2) Any Municipality in regard to which a notification under sub-rule (1) is for the time being in force shall for the purposes of this Schedule be a "notified Municipality."

3. Of the five Members specified in Regulation II, sub-head (i), one shall be elected by the Commissioners of notified Municipalities in each of the following five Divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

4. (1) The number of votes assigned to each Municipality shall be determined in accordance with the following scale, namely :—

	Rs.		Rs	
Municipalities with a local income of ...	5,000 and less than	10,000	1 vote.	
Ditto ditto ...	10,000 ditto	20,000	2 votes.	
Ditto ditto ...	20,000 ditto	50,000	3 "	
Ditto ditto ...	50,000 ditto	80,000	4 "	

and for every additional Rs. 30,000 or part thereof in excess of Rs. 80,000 1 vote.

(2) The number of votes to which each Municipality is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

5. (1) To determine the candidate to whom the votes assigned to each Municipality in accordance with rule 4 shall be given, an election shall be held, in the manner hereinafter prescribed, by the Commissioners qualified to vote, other than officials appointed by name or *ex-officio*, of each of the notified Municipalities in each of the said Divisions.

(2) No such Commissioner shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the Commissioners at any such election shall be deemed to have obtained the number of votes so assigned to the Municipality in which such election has been held.

*Qualifications and nomination of candidates.*

6. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the Municipalities of which he is a candidate may be nominated as a candidate for election if



he is or has for any period aggregating three years been a Commissioner of any Municipality situated in the Division.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule which shall be supplied by the Attesting Officer to any Commissioner mentioned in rule 5 (1) who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners of any Municipality in the Division as proposer and seconder :

Provided that no Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

7. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of the Commissioners ; or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of the Commissioners is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all the Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

#### *Scrutiny of nomination papers.*

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine all nomination papers which have been received by him as aforesaid.

(2) Where a Commissioner subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground ; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

#### *Voting.*

9. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

10. (1) On the date and at the time which the Local Government may appoint in this behalf, the Commissioners mentioned in rule 5 (1) of each notified Municipality in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each such Commissioner present one voting paper in Form II annexed to this Schedule, and such Commissioners shall thereupon proceed to record their votes.

(3) Each Commissioner shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer :

Provided that if a Commissioner is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

11. (1) No Commissioner shall record his vote on more than one voting paper.

(2) Where a Commissioner records his vote on two or more voting papers, all such voting papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

12. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 13 shall be rejected.

*Counting of votes and declaration of result.*

13. (1) On receiving the voting papers referred to in rule 12 the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected" with the grounds for such rejection on any voting paper which he may reject on the ground that it is invalid under these rules and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the Commissioner and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned to the Municipality and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of them to be so declared, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered by him therein the number of votes to which the Municipality is entitled under rule 4 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

14. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the attestation of nomination papers under rule 6 ;
- (b) the scrutiny of nomination papers under rule 8 ;
- (c) the meeting of the Commissioners of the Municipalities in any Division under rule 10 ; and
- (d) the examination of voting papers and the counting of votes under rule 13.

## FORM I.

(See rule 6.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as Municipal Commissioners other than officials appointed by name or *ex-officio* of the Municipality (or Municipalities) of \_\_\_\_\_ in the \_\_\_\_\_ Division.

*Attesting Officer.*

(Official designation.)

*Dated the*

\_\_\_\_\_  
*Instructions.*

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and between the hours of \_\_\_\_\_ and \_\_\_\_\_.

## FORM II.

*(See rule 10.)*

## VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bihar and Orissa by the Commissioners of the Municipalities in the Division.

The Municipality.

Name of candidate.

*Instructions.*

1. Each Commissioner shall vote by entering the name of the candidate to whom he desires to give his vote.
2. Each Commissioner has one vote.
3. The voting paper shall be invalid if more votes than one are recorded on it.
4. The Commissioner shall sign the voting paper at the place indicated on the back and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

---

*(Fold on this line.)*

*Signature of Commissioner.*



## FORM III.

(See rule 13.)

Result of election by the Commissioners of the Municipality.

The  $\frac{\text{vote}}{\text{votes}}$  of the Municipality  $\frac{\text{has}}{\text{have}}$  been given to the undermentioned candidate at the Meeting of the Commissioners held on the day of 19 .

Name of candidate.	Vote.

*Returning Officer.*

## SCHEDULE II.

[See Regulation II, sub-head (ii), and Regulation III.]

## RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE DISTRICT BOARDS.

*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties under these rules by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (ii), one shall be elected by the District Boards of each of the following five Divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

3. (1) The number of votes assigned to each District Board shall be determined in accordance with the following scale:—

District Boards with an annual income (exclusive of opening balances and receipts from loans)			Rs.		
Ditto	ditto	...	not exceeding 75,000	...	1 vote.
		...	exceeding 75,000 but less than 1,25,000	...	2 votes.
		...	and for every additional Rs. 50,000 or part thereof in excess of 1,25,000	...	1 vote.

(2) The number of votes to which each District Board is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

4. (1) To determine the candidate to whom the votes assigned to each District Board in accordance with rule 3 shall be given an election shall be held in the manner hereinafter prescribed, by the persons (hereinafter referred to as electors) who are members, other than officials appointed by name or *ex-officio*, of each District Board of each of the said Divisions and are qualified to vote.

(2) No elector shall have more than one vote in any one Division.

(3) The candidate to whom the largest number of votes is given by the electors at any such election shall be deemed to have obtained the number of votes so assigned to the District Board holding such election.

*Qualifications and nomination of candidates.*

5. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Division for the representation of the District Boards of which he is a candidate may be nominated as a candidate for election, if he is, or has for any period aggregating three years been, a member of any District Board within the Division concerned.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector who may ask for the same.

(3) Every nomination paper shall be subscribed by two electors in the Division as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

(4) Every nomination paper shall be presented for attestation on or before the date and at the time and place appointed by the Local Government in this behalf, and, if the Attesting Officer is satisfied that the nominee is willing to stand for election, shall be attested by that officer in the manner prescribed on the face of the Form and without delay despatched by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

6. (1) A candidate who has been duly nominated for election may withdraw his candidature by a written and signed communication delivered to the Returning Officer not less than fourteen clear days before the date fixed for the meeting of electors, or, if the period between the dates fixed for the scrutiny of nomination papers and the meeting of electors is less than fourteen clear days, not later than the date fixed for such scrutiny.

(2) The Returning Officer shall forthwith notify the withdrawal of any candidate in such manner as the Local Government may prescribe, and shall communicate the withdrawal to all Attesting Officers who shall thereupon remove from the list of candidates the name of the candidate who has withdrawn his candidature.

(3) A candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to stand as a candidate for the same election.

*Scrutiny of nomination papers.*

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) Where an elector subscribes two or more nomination papers, all such nomination papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such nomination papers was so received first, both or all of such papers shall be deemed to be invalid.

(3) The Returning Officer shall examine the nomination papers, and shall decide all objections which may be made to any nomination paper on the ground that it is not valid under these rules, and may reject, either of his own motion or on such objection, any nomination paper on such ground; the decision of the Returning Officer shall in every case be endorsed by him on the nomination paper in respect of which such decision is given, and shall be final save as provided in Regulations VIII and XVI.

*Voting.*

8. (1) If in any Division one duly nominated candidate only stands for election, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more duly nominated candidates than one stand for election, the Returning Officer shall forthwith publish, in such manner as the Local Government may prescribe, and shall send to all the Attesting Officers in the Division a list containing the names and addresses of all such candidates.

9. (1) On the date and at the time which the Local Government may appoint in this behalf, the electors of each District in the Division shall meet for the purpose of recording their votes.

(2) The Attesting Officer shall preside at the meeting and shall read out the names of the candidates whose names have been published by the Returning Officer, and shall deliver to each elector present one voting paper, in Form II annexed to this Schedule, and such electors shall thereupon proceed to record their votes.

(3) Each elector shall vote by writing on the voting paper the name of the candidate whom he wishes to be elected, and shall, after signing the voting paper at the place indicated on the back thereof, hand over the paper himself to the Attesting Officer:

Provided that if an elector is unable to read or write or is by reason of blindness or other physical defect incapacitated from recording his vote as required by this sub-rule, the Attesting Officer shall assist him in such manner as may be necessary to do so.

10. (1) No elector shall record his vote on more than one voting paper.

(2) Where an elector records his vote on two or more voting papers, all such papers, except the one first received by the Attesting Officer, shall be deemed to be invalid, and if the Returning Officer is unable to determine which of such papers was so received first, both or all of such papers shall be deemed to be invalid.

11. (1) After the meeting the Attesting Officer shall forthwith despatch the voting papers received by him and all other papers relating to the election to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) Voting papers which are not received by the Returning Officer before the date appointed under rule 12 shall be rejected.

*Counting of votes and declaration of result.*

12. (1) On receiving the voting papers referred to in rule 11, the Returning Officer shall attend for the purpose of examining them on such date and at such time and place as may be appointed by the Local Government in this behalf, and shall endorse "rejected," with the grounds for such rejection, on any such voting paper which he may reject on the ground that it is invalid under these rules, and, save as provided in sub-rule (5) or in Regulation XVI, such rejection shall be final.

(2) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

(3) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the proceedings.

(4) The Returning Officer shall show the voting papers sealed as provided by sub-rule (2) to the candidates or their representatives.

(5) If an objection is made to any such voting paper on the ground that it is not valid under these rules, or to the rejection by the Returning Officer of any voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, save as provided in Regulations VIII and XVI.

(6) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

(7) The Returning Officer shall then declare the candidate who has obtained the number of votes assigned to the District Board concerned and enter in Form III annexed to this Schedule the name of such candidate :

Provided that if an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any one of the candidates to be so declared the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(8) The Returning Officer shall then mark on each such Form against the name of the candidate entered therein under sub-rule (7) the number of votes to which the District Board is entitled under rule 3 and proceed to count the votes. If an objection is made to any number so marked, it shall be decided at once by the Returning Officer whose decision shall be final, save as provided in Regulations VIII and XVI.

(9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(10) Where an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

*Publication of result.*

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

*Appointment of dates, times and places.*

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the attestation of nomination papers under rule 5 ;
- (b) the scrutiny of nomination papers under rule 7 ;
- (c) the meeting of electors in any Division under rule 9 ; and
- (d) the examination of voting papers and the counting of votes under rule 12.

## FORM I.

(See rule 5.)

## NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by \_\_\_\_\_ and \_\_\_\_\_, who are personally known to me (or who have been identified to my satisfaction) as members of the District Board (or Boards) of \_\_\_\_\_ other than officials appointed by name or *ex-officio*, in the \_\_\_\_\_ Division.

Attesting Officer.

(Official designation.)

Dated the \_\_\_\_\_

## Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.

2. They shall be presented for attestation on or before the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and between the hours of \_\_\_\_\_ and \_\_\_\_\_.



## FORM II.

(See rule 9.)

## VOTING PAPER.

An Additional Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bihar and Orissa by the District Boards in the Division.

The District Board of the

District.

Name of candidate.

*Instructions.*

1. Each elector shall vote by entering the name of the candidate to whom he desires to give his vote.
2. Each elector has one vote.
3. The voting paper shall be invalid if more votes than one are recorded on it.
4. The elector shall sign the voting paper at the place indicated on the back, and then hand it personally to the Attesting Officer. Without such signature the voting paper shall be invalid.

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*(Fold on this line.)*

*(Signature of elector.)*

## FORM III.

(See rule 12.)

RESULT OF ELECTION BY THE DISTRICT BOARD OF THE  
DISTRICT.

The <sup>vote</sup>/<sub>votes</sub> of the District Board of the District  
<sup>has</sup>/<sub>have</sub> been given to the undermentioned candidate at the meeting of the electors  
held on the            day of            , 19            .

Name of candidate.	Number of votes.

*Returning Officer.*



## SCHEDULE III.

[See Regulation II, sub-head (iii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS  
BY THE LANDHOLDERS.*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer for the time being deputed by the Attesting Officer to perform his duties by an order in writing of which a copy shall be sent to the Returning Officer.

(2) "Firm" means an association of two or more individuals trading jointly and not being registered under the Indian Companies Act, 1882, or any other law for the time being in force.

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer for the time being deputed by the Returning Officer to perform his duties.

2. Of the five Members specified in Regulation II, sub-head (iii), one shall be elected by landholders of each of the following five divisions, namely, the Patna, Tirhut, Bhagalpur, Orissa and Chota Nagpur Divisions.

*Qualifications of electors.*

3. The election shall be made by landholders qualified to vote and having a place of residence within the division concerned, who—

(a) pay either land-revenue or road and public works cesses as follows, namely:—

(i) in the case of the Patna, Tirhut and Bhagalpur Divisions, pay land-revenue amounting to not less than four thousand rupees or road and public works cesses amounting to not less than one thousand rupees per annum; and

(ii) in the case of the Orissa and Chota Nagpur Divisions, pay land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than five hundred rupees per annum; or

(b) before the date of this Notification held titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no landholder shall have more than one vote in any one Division though he may possess more than one of the qualifications above described.

*Electoral rolls.*

4. (1) On or before such date as may be appointed by the Local Government in this behalf, a draft electoral roll of landholders qualified under rule 3 (hereinafter referred to as electors) for each Division in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette, together with a notice reproducing sub-rule (3) of this rule.